

**BEFORE THE
U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Application of)	
)	
TALOFA AIRWAYS LIMITED)	
)	Docket No. DOT-OST-2019-0037
for renewal of exemption from)	
49 U.S.C. § 41301)	
(Samoa – U.S.) (small aircraft))	
)	

**APPLICATION OF TALOFA AIRWAYS LIMITED
FOR RENEWAL OF EXEMPTION**

Communications with respect to this document should be addressed to:

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Counsel for **TALOFA AIRWAYS LIMITED**

DATED: November 4, 2021

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**APPLICATION OF TALOFA AIRWAYS LIMITED
FOR RENEWAL OF EXEMPTION**

Pursuant to 49 U.S.C. § 40109 and Subpart C of the Department's Rules of Practice, Talofa Airways Limited ("Talofa") hereby requests renewal of its exemption from 49 U.S.C. § 41301 previously granted in this docket.

In support of its application, Talofa Airways submits the following information:

1. On November 6, 2020, the Department granted to Talofa exemption authority in this docket to engage in, using small aircraft: (i) scheduled and charter foreign air transportation of persons, property and mail from points behind the Independent State of Samoa via the Independent State of Samoa and intermediate points to a point or points in the United States and beyond; (ii) scheduled and charter foreign all-cargo air transportation between a point or points in the United States and any other point or points; and (iii) other charters pursuant to 14 C.F.R. part 212 of the Department's regulations.¹ By this application, Talofa Airways seeks renewal of its exemption authority to continue providing these services.

¹ See Notice of Action Taken, Nov. 6, 2020 (DOT-OST-2019-0037).

2. The renewed exemption authority sought by Talofa Airways remains consistent with the principles of comity and reciprocity. The United States and the Independent State of Samoa continue enjoy a positive aviation relationship. Talofa Airways understands that the Government of the Independent States of Samoa would be willing to approve similar requests from U.S. air carriers. Grant of the requested authority is in the public interest, as it will ensure continuity of air commerce between the Independent State of Samoa and the United States, including but not limited to ensuring that scheduled air services at remote, island communities are not disrupted.

3. Talofa Airways will accept all terms, limitations, and conditions that the Department normally attaches to exemption authority for foreign air transportation, and Talofa Airways will comply with the provisions of the Transportation Code as well as the rules, regulations, and requirements issued thereunder.

4. Talofa Airways remains fit to provide this service. Talofa Airways hereby incorporates by reference all information previously filed with the Department in Dockets DOT-OST-2016-0060 and 2019-0037 to establish its fitness.

5. The operations at issue will not result in a near term increase in fuel consumption of ten million gallons or more. Consequently, grant of the authority requested herein will not constitute a “major regulatory action” under the Energy Policy and Conservation Act of 1975, as defined in 14 C.F.R § 313.4 (a)(1).

6. Pursuant to Section 377.10(a) of the Department’s Regulations, Talofa Airways states its intention to rely upon 5 U.S.C. § 558(c), as implemented by Part 377, to continue in effect its current exemption authority for the service specified in this application, pending final Department action on this application.

WHEREFORE, based upon the foregoing, Talofa Airways respectfully requests that it be granted a renewal of its exemption authority, as described herein, for not less than a one-year period, and any such other or additional relief as the Department considers consistent with this application and the public interest.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jonathon H. Foglia".

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Counsel for **TALOFA AIRWAYS LIMITED**

DATED: November 4, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Application of Talofa Airways Limited for Renewal of Exemption by electronic mail upon the following:

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DATED: November 4, 2021